IN THE HIGH COURT OF JUDICATURE AT BOBBY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 2918 OF 2004

Sanjay Suresh Shinde ..Applicant.
V/s.

Padmakar @ Nana Keshav Kale & Anr. ..Respondents.

Shri V.V. Purwant for the Applicant.
Shri V.B. Konde-Deshmukh, APP for Respondent.

CORAM : A.M.KHANWILKAR, J.
DATED : 27.10.2004

PC :-

. Heard the learned counsel for the parties.

2. This Application is for cancellation of anticipatory bail granted by the Sessions Judge, Solalpur on 30.06.2004. The court below has recorded good reasons for enlarging Respondent No.1 on anticipatory bail. According to the appilcant the reasons recorded cannot be sustained. Even so, to my mind, at this distance of time, no fruitful purpose would be served by cancelling the anticipatory bail. Moreover, there is nothing on record even to remotely suggest that Respondent No.1 has abused the bail or jumped any of the conditions. Learned APP on instructions, states that investigation is already

complete and infact chargesheet has been filed in respect of the otehr accused. In so far as, respondent No.1 is concerned, chargesheet will be presented in the next week. Accordingly, I find no reason to interfere at this distance of time. Counsel for the applicant further relied on the decision of the Apex Court in the case of Kiran Devi vs. State of Rajasthan & Anr. , reported in 1987 (Supp) Supreme Court Cases -549, to contend that when the investigation was still incomplete at that stage, the court below ought not to have granted anticipatory bail to Respondent No.1.

3. For the reasons recorded above, I find no basis to interfere. Hence, dismissed.

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